

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

Tsige A. Dereje,

Civil No. 12-3010 (DSD/TNL)

Plaintiff,

v.

**ORDER**

Carolyn W. Colvin,

Defendant.

---

Donald C. Erickson, Fryberger Buchanan Smith & Frederick, PA, 302 West Superior Street, Suite 700, Duluth, MN 55802 (for Plaintiff);

Ann M. Bildtsen and Gregory G. Brooker, Assistant United States Attorneys, 600 United States Courthouse, 300 South Fourth Street, Minneapolis, MN 55415 (for Defendant).

---

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated January 28, 2014 (Docket No. 32), along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. Plaintiff's motion for summary judgment (Docket No. 23) is **DENIED**;
2. Defendant's motion for summary judgment (Docket No. 28) is **GRANTED**;

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: February 18, 2014

s/David S. Doty

David S. Doty, Judge  
United States District Court